

Message Text

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ACTION OES-07

INFO OCT-01 AF-10 ARA-14 EUR-12 EA-12 ISO-00 L-03
DLOS-09 CIAE-00 DODE-00 INR-07 NSAE-00 PA-02
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FM AMEMBASSY SAN JOSE
TO SECSTATE WASHDC PRIORITY 8801
INFO AMEMBASSY OTTAWA PRIORITY
AMEMBASSY MEXICO PRIORITY
AMEMBASSY QUITO PRIORITY
AMEMBASSY TOKYO PRIORITY
AMEMBASSY MANAGUA PRIORITY
AMEMBASSY PANAMA PRIORITY
AMEMBASSY LIMA PRIORITY
AMEMBASSY PARIS PRIORITY
AMEMBASSY GUATEMALA PRIORITY
AMEMBASSY SAN SALVADOR PRIORITY
AMEMBASSY TEGUCIGALPA PRIORITY
AMEMBASSY BOGOTA PRIORITY
AMEMBASSY SANTIAGO PRIORITY
AMEMBASSY MADRID PRIORITY
AMEMBASSY LONDON PRIORITY
AMCONSUL HAMILTON PRIORITY
AMCONSUL CURACAO PRIORITY
AMEMBASSY WELLINGTON PRIORITY
AMEMBASSY DAKAR PRIORITY
AMEMBASSY CARACAS PRIORITY
AMEMBASSY ACCRA PRIORITY
AMCONSUL GUAYAQUIL PRIORITY

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E.O.11652: N/A
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SUBJECT: NEGOTIATION OF NEW TUNA TREATY

1. MEETING OF PLENIPOTENTIARIES TO NEGOTIATE NEW MANAGE-
MENT REGIME FOR TUNA IN THE EASTERN TROPICAL PACIFIC
WAS CONVENED SEPTEMBER 19 AT 9:15 A.M. BY CO-SPONSORS
MEXICO AND COSTA RICA. LATTERS' DELEGATIONS WERE LED
BY FONMINS ROEL AND FACIO. OTHER COUNTRIES REPRE-

SENTED ARE MEMBERS OF IATTC PLUS AMBASSADORS FROM NON-IATTC COASTAL STATES ACCREDITED TO COSTA RICA BUT NOT RPT NOT ACTING AS REPRESENTATIVES OR OBSERVERS. THUS PERUVIANS, ECUADOREANS AND CHILEANS ARE NOT TAKING PART IN CONFERENCE, AND NON-IATTC, NON-COASTAL STATES WERE APPARENTLY NOT INVITED.

2. FACIO LED OFF WITH BRIEF SUMMARY OF HISTORY OF IATTC, INCLUDING SPECIAL ROLE PLAYED BY U.S. AND COSTA RICA. HE NOTED THAT ALTHOUGH COSTA RICA HAS SCRUPULOUSLY OBSERVED ALGJ DSURES PRESCRIBED BY IATTC, TIME HAS NOW MILSMFOR NEW TREATY TO REFLECT PRESENT REALITY. THIS INCLUDES NEW LOS CONCEPTS AND EXTENSIONS OF SOVEREIGNTY OVER 200 MILE MARITIME ZONES. HE SAID A NEW MANAGEMENT ENTITY SHOULD HAVE A GREATER BREADTH OF RESPONSIBILITY.

3. FACIO SAID MEXICO AND COSTA RICA ARE KEEPING CAREFULLY IN MIND THE LANGUAGE OF ARTICLE 64 OF THE ICNT RDRAFTED AT THE SIXTH SESSION OF UNCLOS III, NOTING THAT ITS EMPHASIS ON COOPERATION AMONG CMUSTAL STATES AND INTERNATIONAL ORRRMMRMLTIONS FOR MANAGEMENT DOES NOT CONTRADICTTHE RIGHT OF A COASTAL STATE TO MANAGE FISHERIES WITHIN ITS EEZ, THOUGH IN THE CASE OF TUNA THE MIGRATORY NATURE DICTATES AN INTERNATIONAL CHARACTER.

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4. FACIO NOTED THAT IN 1974 64 PERCENT OF THE TUNA IN THE EASTERN TROPICAL PACIFIC ARE CAUGHT INSIDE THE 200 MILE QUOTE PATRIMONY", UNQUOTE ZONES OF THE COASTAL STATES, BUT ONLY 15 PERCENT ARE CAUGHT BY STATES WITH TUNA RESOURCES OFF THEIR COASTS.

5. FACIO BRIEFLY REVIEWED THE MAIN TENETS OF THE MEXICAN/COSTA RICAN WORKING DOCUMENT, (TABLED BY CO-SPONSORS, FULL TEXT OF WHICH CONTAINED MEXICO'S 15575 BEING REPEATED TO ALL ADDRESSEES. HE SAID THIS WOULD SERVE AS BASIS OF DISCUSSION TO BE SUBMITTED FOR CONSIDERATION OF THE DELEGATES, TO ARRIVE AT A NEW CONVENTION WHICH BENEFITS ALL PARTIES. THE ALTERNATIVE TO INTERNATIONAL MANAGEMENT, WHICH HE DESCRIBED AS A RETURN TO THE LAW OF THE JUNGLE, WOULD LEAD TO THE EXTINCTION OF VALUABLE TUNA STOCKS.

6. FONMIN ROEL THEN TOOK THE FLOOR TO SAY THAT THIS CONFERENCE HAS PROFOUND SIGNIFICANCE IN TWO DIRECTIONS IT SIGNIFIES THE COOPERATION OF THE TWO CO-SPONSORS AND IT RELATES TO A COMMON GOAL FOR THE CONSERVATION

OF FISHERIES RESOURCES, IN THE CONTEXT OF QUOTE NEW
AND REVOLUTIONARY UNQUOTE CONCEPTS OF MANAGEMENT
WITHIN THE 200-MILE ZONE. HE SAID A NEW CONVENTION
MUST TRACK WITH ARTICLE 64. OF THE ICNT, MUST EXERCISE
A UNIFORM REGIME IN ALL PARTS OF THE CATCH REGION,
AND MUST PROMOTE THE MAXIMUM SUSTAINABLE CATCH.
PROTECT THE CATCH CAPACITY OF THE COASTAL STATES
AND PRESERVE FREE ACCESS OF THE STATES PARTIES.

7. ROEL SAID THAT UNILATERAL MANAGEMENT BY THE COASTAL
STATES IS NOT A SOLUTION BECAUSE ONE CANNOT CONSERVE
THE HIGHLY MIGRATORY SPECIES IN THIS MANNER, AND THE
RESULT IS NOT CONSISTENT WITH ARTICLE 64 OF THE ICNT.
THE ONLY SOLUTION HE SAID, IS AN INTERNATIONAL REGIME
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FOR CONSERVATION AND UTILIZATION OF THE RESOURCE,
COMPENSATION TO COASTAL STATES WITH CAPACITY INSUFFI-
CIENT TO UTILIZE THE STOCKS IN THEIR WATERS, AND
SCIENTIFIC INVESTIGATION THROUGHOUT THE REGION TO
PROTECT THE STOCKS.

8. FULL TEXTS OF STATEMENTS BEING POUCHED.

9. ROEL THEN DEPARTED TO CATCH A PLANE FOR PANAMA AND
FACIO CALLED FOR ELECTION OF OFFICERS. CONFERENCE
SELECTED BY ACCLAMATION
COSTA RICA FONMIN FACIO AS
PRESIDENT, MEXICAN UNDERSECRETARY OF FON MINISTRY
AMBASSADOR JERGE CASTANEDA AS VICE PRESIDENT, CANADA'S
JAMES BECKETT OF DEPARTMENT OF FISHERIES AND ENVIRON-
MEFT AS RAPPORTEUR, AND MARTA QUIROS OF COSTA RICAN
FON MINISTRY AS SECRETARY GENERAL. FIRST WORKING
MEETING WILL BE AFTERNOON SEPTEMBER 19.

10. AMONG MAJOR PROBLEM AREAS WE FORESEE IN
ABSENCE OF ECUADOR, HEAVY EMPHASIS BY MEXICANS AND
COSTA RICANS ON SOVEREIGNTY OVER TUNA RESOURCE OUT
TO 200 MILES AND INADEQUATE CONFERENCE PREPARATIONS
BY CO-SPONSORS. FULLER CLASSIFIED DELEGATION REPORT
AND COMMENT WILL BE FORWARDED SEPTEMBER 20 OR 21.
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